

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ALEECE REINICKE, :  
Plaintiff,  
v. : Case No. 3:19-cv-103  
COMMISSIONER OF THE : JUDGE WALTER H. RICE  
SOCIAL SECURITY  
ADMINISTRATION, :  
Defendant.

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #11);  
VACATING COMMISSIONER'S NON-DISABILITY FINDING;  
REMANDING TO SOCIAL SECURITY ADMINISTRATION UNDER  
SENTENCE FOUR OF 42 U.S.C. § 405(g); JUDGMENT TO ENTER IN  
FAVOR OF PLAINTIFF AND AGAINST DEFENDANT; TERMINATION  
ENTRY

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Based on the reasoning and citations of authority set forth by United States  
Magistrate Judge Sharon L. Ovington in her Report and Recommendations, Doc.  
#11, as well as upon a thorough *de novo* review of this Court's file and the  
applicable law, the Court ADOPTS said judicial filing in its entirety. Although the  
parties were given notice of their right to file Objections to the Report and  
Recommendations, as of the consequences of failing to do so, and although  
Defendant requested and was granted an extension of time to file Objections, no  
Objections were filed within the time allotted.

The Court VACATES the Commissioner's non-disability finding, but makes no finding as to whether Plaintiff was under a "disability" within the meaning of the Social Security Act. The Court REMANDS this case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendations.

Judgment shall be entered in favor of Plaintiff and against Defendant.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: July 6, 2020

  
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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE

(tp - per Judge Rice authorization after his review)